

S/N: 10/790,216  
Art Unit: 3677

Page 2 of 3

2-Jun-05  
Atty. Dkt. 3141/1

### REMARKS

Claims 1-20 are in this case. Claims 1-20 are subject to a restriction requirement. An election is made below.

### Interview Summary

Reference is made to a telephone interview conducted on June 2, 2005, between Examiner Jack Lavinder for the PTO and Mr. Daniel Michaels, speaking under the auspices of Dr. Mark Friedman for the Applicant. The interview related primarily to the restriction requirement of record. No agreement was reached as to the allowability of any claim.

The Applicant offered the Examiner a brief explanation of the distinctive features and advantages of the method and resulting gemstone according to the present invention. It was agreed at this stage to elect the method claims for immediate examination. The Examiner indicated that, if he were to find the geometrical definition common to the gemstone and method claims to be patentable, he would consider whether he is able to reintroduce the gemstone claims for further consideration.

The Applicant expresses his appreciation to the Examiner for his helpfulness.

### Restriction/Election

The Examiner has identified the following two groups of claims as distinct inventions:

- Group I      Claims 1-11 directed towards a gemstone.

S/N: 10/790,216  
Art Unit: 3677

Page 3 of 3

2-Jun-05  
Atty. Dkt. 3141/1

- Group II Claims 12-20 directed towards a method for cutting a gemstone.

The Examiner has required restriction of the examination to one of these inventions.

In response, the Applicant hereby elects Group II, method claims 12-20, for immediate consideration. The Applicant reserves the right to file non-elected claims 1-11 as a divisional application at a later date.

In view of the previously-submitted amendments and arguments, it is respectfully submitted that independent claim 12, and hence also dependent claims 13-20, are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



Mark M. Friedman  
Attorney for Applicant  
Registration No. 33,883

Date: June 2, 2005